



PUBLIC NOTICE

Federal Communications Commission
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**PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SEEKS COMMENT ON
INCREASING PUBLIC SAFETY INTEROPERABILITY BY PROMOTING COMPETITION
FOR PUBLIC SAFETY COMMUNICATIONS TECHNOLOGIES**

PS Docket No. 10-168

Comments Due: Sept. 20, 2010

Reply Comments Due: Oct. 18, 2010

Our Nation's first responders rely on communications systems supplied by a small number of equipment providers to support mission-critical communications. The characteristics of how public safety equipment is developed and provided may impact the interoperability and efficiency of communications between first responders, which could potentially threaten lives and property.

Because of the important role these communications systems play in supporting our Nation's public safety personnel, it is imperative that we explore all potential barriers to achieving nationwide interoperability for both broadband and narrowband communications, and determine what, if any, actions the Commission should take in this area. In particular, we note the recent letter from the leadership of the U.S. House of Representatives Committee on Energy in Commerce to Chairman Genachowski, seeking information on these issues, including the state of competition in the public safety equipment and device market, the use of proprietary standards by public safety equipment manufacturers, and the impact that these issues may have on public safety interoperability.¹ Accordingly, we seek comment on the following:

1. What are the factors that affect the current state of competition in the provision of public safety communications equipment? Are there any additional barriers to additional manufacturers supplying network equipment to the public safety community for narrowband communications? For broadband communications?

¹ See also, Letter from Henry A. Waxman, Joe Barton, Rick Boucher, and Cliff Stearns, Committee on Energy and Commerce, U.S. House of Representatives, to Julius Genachowski, Chairman, Federal Communications Commission (June 30, 2010); Letter from Julius Genachowski, Chairman, Federal Communications Commission to Henry A. Waxman, Chairman, Committee on Energy and Commerce, U.S. House of Representatives (July 20, 2010).

2. How would additional competition in the provision of public safety communications equipment improve narrowband or broadband interoperability? Conversely, what impact does the current state of competition in the provision of public safety communications equipment and devices have on interoperability? Assuming additional competition would benefit public safety interoperability, what actions could the Commission take to improve competition in the provision of public safety communications equipment?
3. What are the limitations of Project 25 in promoting narrowband public safety communications interoperability? What actions, if any, should the Commission take to rectify these limitations?
4. Could open standards for public safety equipment increase competition? What actions could the Commission take to facilitate openness?
5. As the Commission considers requirements for the 700 MHz broadband public safety network, are there any requirements on public safety equipment or network operators that would increase competition in the provision of public safety equipment? How can the Commission's work on requirements for the 700 MHz broadband public safety network be leveraged to promote interoperability between narrowband and broadband networks?

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331.

Interested parties may file comments on or before **September 20, 2010**, and reply comments on or before **October 18, 2010**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.² Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of the proceeding, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking numbers. All filings concerning this Public Notice should refer to PS Docket No. 10-168. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. **Parties are strongly encouraged to file comments electronically using the Commission's ECFS.**

- Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. **PLEASE NOTE:** The Commission's former filing location at 236 Massachusetts Avenue, NE is permanently closed.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must

² See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in PS Docket No. 10-168 will be available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. S.W., Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com.

To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.³ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required.⁴ Other requirements pertaining to oral and written presentations are set forth in section 1.1206(b) of the Commission's rules.⁵

For further information, contact Jennifer A. Manner, Deputy Bureau Chief, Public Safety and Homeland Security Bureau, (202) 418-3619, Jennifer.Manner@fcc.gov.

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³ 47 C.F.R. § 1.1200 *et seq.*

⁴ *See* 47 C.F.R. § 1.1206(b)(2).

⁵ 47 C.F.R. § 1.1206(b).